

sure the record is clear about that. The Catawba Nation has already signed an agreement with our Governor, Governor Roy Cooper, and they have the support of the local community.

Madam Speaker, I respectfully urge my colleagues to vote "yes" on this important legislation.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I think that we have heard today about the importance of how we are, in essence, making history by undoing a little bit of the unfortunate history of the United States. This small parcel of land, which will be taken into trust, will yield significant benefits for the Tribe.

I do appreciate the fact that, like all the legislation we are considering today, it is bipartisan and that all of those who are supporting it recognize the benefits that it will bring to the Catawba Nation.

Madam Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 1619.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

### LUMBEE RECOGNITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2758) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2758

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Lumbee Recognition Act".

#### SEC. 2. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking "That the Indians" and inserting the following:

#### "SEC. 3. DESIGNATION OF LUMBEE INDIANS.

"The Indians";

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

#### "SECTION 1. FINDINGS.

"Congress finds that—";

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking "Whereas" each place it appears;

(D) by striking "and" after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking "": Now, therefore," and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

#### "SEC. 2. DEFINITIONS.

"In this Act:

"(1) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina."; and

(7) by adding at the end the following:

#### "SEC. 4. FEDERAL RECOGNITION.

"(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

"(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

"(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

#### "SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

"(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

"(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

"(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

"(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

"(d) TRIBAL ROLL.—

"(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

"(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

"(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

"(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

#### "SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

"(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

#### "SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

"(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed; and

"(2) all civil actions that arise.

"(b) TRANSFER OF JURISDICTION.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

"(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

"(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

#### "SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this Act.

#### "SEC. 9. SHORT TITLE.

"This Act may be cited as the 'Lumbee Tribe of North Carolina Recognition Act'."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

#### GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2758, the Lumbee Recognition Act, introduced by Representative BUTTERFIELD from North Carolina, will extend Federal recognition to the Lumbee Tribe of North Carolina.

With approximately 60,000 members, the Lumbee Tribe is the largest in North Carolina, the largest Tribe east of the Mississippi River, and the ninth largest Tribe in the Nation.

In 1885, the Lumbee Tribe was recognized by the State of North Carolina.

The Tribe then sought Federal recognition from the United States in 1889 and has been pursuing its recognition ever since.

Over the past 130 years, numerous bills have been introduced in Congress to federally recognize the Lumbee people, resulting in a significant record of hearing transcripts and committee reports. In addition, numerous studies have been undertaken in academia on Lumbee ancestry, including reports filed by the Department of the Interior on the Tribe's validity.

All of these documents and these reports consistently conclude one thing: The Lumbee people are indeed a distinct, self-governing community that has been continuously and undeniably present in the Robeson County area. However, in 1955, when the Lumbee Tribe once again sought Federal recognition, the U.S. Government was actively terminating its relationship with Tribal governments.

To that end, the Department of the Interior recommended that Congress amend the recognition legislation to deny eligibility for the benefits and services available to the Tribe after becoming recognized under the bill. Congress then enacted this amended legislation in 1956, which had the effect of simultaneously federally recognizing the Lumbee Tribe and effectively terminating that recognition.

In 1987, the Lumbee Tribe attempted to restore their Federal recognition through the Federal acknowledgment process at the Department of the Interior. However, the Department determined that the Tribe was ineligible to participate in the Federal acknowledgment process because Congress, according to the 1956 act, had terminated its relationship with the Tribe. Therefore, only Congress could restore that relationship. This is what the enactment of H.R. 2758 will accomplish.

Federal recognition is the formal establishment of a government-to-government relationship between the United States and a Tribal nation. Its importance to Tribes cannot be overstated.

Federal recognition allows a Tribe to reestablish its homelands and place that land into trust for future generations. Recognizing Tribes as sovereign entities enables Tribal governments to manage resources, including local jurisdiction and taxation issues. Recognition also entitles Tribal citizens to distinctive benefits, including eligibility to participate in many Federal programs, including for healthcare and education.

That is why the enactment of this legislation is vital to the Lumbee Tribe. Let's keep in mind that the Lumbee Tribe has been seeking formal Federal recognition for over 100 years. Now is the time.

Other Tribes that were terminated by congressional action had come before Congress and had their relationship reestablished through legislation. After a century of inaction, it is finally time

that we extend Federal recognition to the Lumbee Tribe.

Madam Speaker, I want to thank Representative BUTTERFIELD for championing this bipartisan legislation. I urge its quick adoption, and I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2758 would extend Federal recognition to the Lumbee Tribe of North Carolina and remove a bar that has prevented the Tribe from being federally recognized.

Recognizing the Lumbee Tribe would make its members eligible for services, benefits, and immunities available to other federally recognized Indian Tribes. The bill would also establish a service area to deliver Federal programs to Robeson, Cumberland, Hoke, and Scotland Counties in North Carolina.

In 1956, an act by Congress designated certain Indians as Lumbee Indians of North Carolina and declared that they shall enjoy all rights as citizens of the State of North Carolina and the United States. At the same time, the act made them ineligible for services available to recognized Tribes and makes Indian statutes inapplicable to them.

This scheme has led to conflicting Department of the Interior solicitor opinions regarding whether the Lumbee Tribe may pursue administrative recognition. H.R. 2758 would resolve those conflicting administrative opinions and recognize the Tribe so that its Members can receive the benefits that other Tribes have.

Madam Speaker, I want to thank Representative DAN BISHOP from the State of North Carolina for his leadership on the issue.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Speaker, let me first thank Congresswoman LEGER FERNANDEZ for her friendship, her extraordinary leadership, and her passionate leadership. The gentlewoman is a wonderful member of this body, and I thank her so much for all that she does. She and I serve on another committee together, the Elections Subcommittee, and I have seen her in action.

Madam Speaker, I thank all of our cosponsors of this legislation for their support, both Democratic and Republican, including the Tribe's Representative, Congressman DAN BISHOP from the Ninth District of North Carolina, who is my friend.

Madam Speaker, I rise in strong support of my bill, H.R. 2758, the Lumbee Recognition Act, and I urge my colleagues to vote for its passage.

Madam Speaker, the Lumbee Recognition Act will finally extend full Federal recognition to the Lumbee Tribe of North Carolina and make its

members eligible for the same services and the same benefits provided to members of other federally recognized Tribes.

Most importantly, the bill would establish, once and for all, the Lumbee Tribe as an independent and sovereign entity under Federal law.

Madam Speaker, we have an opportunity before us to do the right thing and fix a historic wrong by passing my bill. North Carolina has recognized the Lumbee Tribe since 1885, and this body, the Congress, recognized the Tribe in the 1950s but, during the dark days of the termination era, refused to allow the Lumbee Tribe access to federally funded services and benefits. What a shame.

Almost all Tribes that were "terminated" in this troubling era have since been restored to Federal recognition. We are long overdue in delivering the same justice to the Lumbee Tribe.

This legislation has tremendous bipartisan support inside and outside North Carolina as demonstrated by a unanimous House vote to pass this very bill last Congress and President Biden's support for full Federal recognition of the Lumbee Tribe. Now is the time, Madam Speaker, to get it done.

Madam Speaker, the merits of the Lumbee's claim for full Federal recognition have long been accepted by our State of North Carolina, academia, and the Federal Government. It is long past time for Congress to give the Lumbee the respect they deserve and to treat them with the fundamental fairness that has been withheld for so many years.

As Ms. LEGER FERNANDEZ said earlier, this is the first day of Native American History Month. What an honor.

Madam Speaker, I urge my colleagues to vote "yes" and stand on the right side of history.

Ms. LEGER FERNANDEZ. Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. BISHOP) who has done so much work on this issue.

Mr. BISHOP of North Carolina. Madam Speaker, I thank the gentleman for yielding, and I thank Representative BUTTERFIELD for those fine comments. I agree with him 100 percent.

That bill that Congress passed back in 1956 said this, even as it recognized the Lumbee: "Nothing in this act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians shall be applicable to the Lumbee Indians."

My goodness. What an error, what a mistake, and what an injustice. But that is what the Congress of that time

said, and it is high time for us to correct that injustice. Therefore, I am proud to be a cosponsor with Representative BUTTERFIELD and Representative HUDSON of this legislation.

The Lumbee have for three centuries been a cohesive and distinct community of aboriginal origins and durable institutions, especially schools, living near the Lumber River in Robeson County.

The Lumbee have been called by several names, but it cannot be disputed that they are the continuously present and vital people shown on a map drawn in 1725 whose common modern surnames appear on a document written in 1771: Locklear, Chavis, Dees, Sweat, and Groom. They are the Lumbee who were living in Long Swamp in the 1730s, the community now known as Prospect.

I said these words last year when it appeared very favorable that we were going to pass Lumbee recognition then, and I am going to say it continuously until we get this done, that this is going to be the year.

I know the Lumbee. I know the Warriors Ball and Lumbee Homecoming, UNC-Pembroke and Old Main, the Lumbee Cultural Center and the Cozy Corner. The Lumbee are supremely patriotic Americans, God-fearing and washed in the blood, devoted to the liberating cause of education and to civic involvement, proud of their community, and loving and welcoming to strangers. They are the best of America, and the only honorable course for the United States Congress is to accord them their due recognition at long last.

So my thank-you to Representative BUTTERFIELD for sponsoring this legislation. I thank Representative HUDSON and Representatives GRIJALVA and WESTERMAN for permitting it to come forward—staunch supporters of the Lumbees' pursuit of justice. I thank Senators BURR and TILLIS. Lumbee recognition took on new life when both North Carolina Senators began to champion it.

Thanks also to former Representative Mike McIntyre of Robeson County, who worked for Lumbee recognition for more than a decade. We almost accomplished passage last year. This is going to be the year.

Madam Speaker, I urge overwhelming support for the Lumbee Recognition Act.

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Mr. WESTERMAN. Madam Speaker, I thank the gentleman for his unwavering support for his constituents and his efforts to work across the aisle.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I have no further requests for time, and I would inquire whether my colleague has any remaining speakers on their side.

I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I am ready to close, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I, too, want to thank Mr. BISHOP, Mr. BUTTERFIELD, Mr. WESTERMAN, and Mr. GRIJALVA for championing this legislation so that we may today undo 100 years of injustice.

Madam Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. MANNING). The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 2758.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### PALA BAND OF MISSION INDIANS LAND TRANSFER ACT OF 2021

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1975) to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1975

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Pala Band of Mission Indians Land Transfer Act of 2021”.

#### SEC. 2. TRANSFER OF LAND INTO TRUST FOR THE PALA BAND OF MISSION INDIANS.

(a) TRANSFER AND ADMINISTRATION.—

(1) TRANSFER OF LANDS INTO TRUST.—If, not later than 180 days after the date of the enactment of this Act, the Tribe transfers title to the land referred to in subsection (b) to the United States, the Secretary, not later than 180 days after such transfer, shall take that land into trust for the benefit of the Tribe.

(2) ADMINISTRATION.—The land transferred under paragraph (1) shall be part of the Pala Indian Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe.

(b) LAND DESCRIPTION.—The land referred to in subsection (a)(1) is the approximately 721.12 acres of land located in San Diego County, California, generally depicted as “Gregory Canyon Property Boundary” on the map titled “Pala Gregory Canyon Property Boundary and Parcels”.

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Tribe to any land or interest in land that is in existence before the date of the enactment of this Act;

(2) affect any water right of the Tribe in existence before the date of the enactment of this Act; or

(3) terminate or limit any access in any way to any right-of-way or right-of-use

issued, granted, or permitted before the date of the enactment of this Act.

(d) RESTRICTED USE OF TRANSFERRED LANDS.—The Tribe may not conduct, on the land taken into trust for the Tribe pursuant to this Act, gaming activities—

(1) as a matter of claimed inherent authority; or

(2) under any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and regulations promulgated by the Secretary or the National Indian Gaming Commission under that Act.

(e) DEFINITIONS.—For the purposes of this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) TRIBE.—The term “Tribe” means the Pala Band of Mission Indians.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

#### GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1975, the Pala Band of Mission Indians Land Transfer Act of 2021, introduced by Representative ISSA from California, will direct the Secretary of the Interior to take 721.12 acres of land into trust for the Pala Band of Mission Indians.

The Pala Band of Mission Indians is located in northern San Diego County with 918 enrolled members. Members of the Pala Band belong to the Cupeno and Luiseno Tribes who were forced together by Spanish Franciscan missionaries during the 1800s.

The Pala Band recently purchased property that includes the remaining portion of Gregory Mountain that is not on the existing Pala Band Reservation and other sacred and culturally significant sites in Gregory Canyon. The land was purchased to protect and preserve Gregory Mountain, Medicine Rock, and other sites considered sacred by Luiseno Tribes.

Taking land into trust is an integral part of the government-to-government relationship between the U.S. Government and Tribal governments. By maintaining Tribal lands, Tribal governments can protect and preserve their ancestral homelands or sacred sites considered culturally significant.

This bill takes 721.12 acres into trust for the benefit of the Pala Band, ensuring that the sacred sites and cultural history located on those lands will be honored appropriately and safeguarded. The bill also stipulates that current